

W.D.N.Y.
14-cv-229
Skretny, C.J.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 7th day of October, two thousand fourteen.

Present:

Dennis Jacobs,
Robert D. Sack,
Christopher F. Droney,
Circuit Judges.

Raffi Barsoumian, M.D.,

Plaintiff-Appellant,

v.

14-2707

Anne C. Williams, Esq. Individually and as
Associate Counsel, State University of New York
at Buffalo, et al.,

Defendants-Appellees.

Appellees move to dismiss this appeal for lack of appellate jurisdiction. Upon due consideration, it is hereby ORDERED that the motion is DENIED.

At the very least, this Court has jurisdiction to review the district court's denial of Appellant's preliminary injunction motion. *See* 28 U.S.C. § 1292(a)(1). The denial of the Appellees' present motion is without prejudice to the Appellees reasserting their jurisdictional argument in their responding appellate briefs in the event the Appellant raises an issue in his brief that the Appellees believe this Court lacks jurisdiction to review.

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk


The signature is written in blue ink over a circular official seal of the United States Court of Appeals for the Second Circuit.